

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 9-146.1 as follows:

6 (40 ILCS 5/9-146.1) (from Ch. 108 1/2, par. 9-146.1)

7 Sec. 9-146.1. Minimum annuities for widows. The widow of
8 an employee who retires from service or dies while in the
9 service subsequent to June 11, 1965, who is otherwise
10 eligible for widow's annuity under this Article and for whom
11 the amount of widow's annuity and widow's prior service
12 annuity combined, fixed or provided for such widow under
13 other provisions of this Article 9 is less than the amount
14 hereinafter provided in this Section, shall, from and after
15 the date her otherwise provided annuity would begin, in lieu
16 of such otherwise provided widow's and widow's prior service
17 annuity, be entitled to the following indicated amount of
18 annuity:

19 (a) The widow⁷ of any employee who dies while in the
20 service on or after the date on which he attains the age of
21 60 or more years with at least 20 years of service, or 10 or
22 more years of service if death occurs on or after attainment
23 of age 65 and on or after January 1, 1982, shall be entitled
24 to an annuity equal to one-half of the amount of annuity
25 which her deceased husband would have been entitled to
26 receive had he withdrawn from the service on the day
27 immediately preceding the date of his death, conditional upon
28 such widow having attained the age of 60 or more years on
29 such date. Such amount of widow's annuity shall not, however,
30 exceed the sum of \$500 a month if death in service occurs
31 before July 1, 1985.

1 If such widow of such described employee shall not be 60
2 or more years of age on such date of death, the amount
3 provided in the immediately preceding paragraph for a widow
4 60 or more years of age, shall, in the case of such younger
5 widow, be reduced by 1/2 of 1 per cent for each month that
6 her then attained age is less than 60 years; except that such
7 younger widow of an employee who dies while in service on or
8 after July 1, 1985 with at least 30 years of service, shall
9 not be subject to the reduction in widow's annuity because of
10 her age less than 60 on the date of the employee's death.

11 (b) The widow, of any employee who dies subsequent to
12 the date of his retirement on annuity, and who so retired on
13 or after the date on which he attained the age of 60 or more
14 years with at least 20 years of service, or 10 or more years
15 of service if retirement occurs on or after attainment of age
16 65 and on or after January 1, 1982, shall be entitled to an
17 annuity equal to one-half of the amount of annuity which her
18 deceased husband received as of the date of his retirement on
19 annuity, conditional upon such widow having attained the age
20 of 60 or more years on the date of her husband's retirement
21 on annuity. Such amount of widow's annuity shall not,
22 however, exceed the sum of \$500 a month if the death occurs
23 before the effective date of this amendatory Act of 1991.

24 If such widow of such described employee shall not have
25 attained such age of 60 or more years on such date of her
26 husband's retirement on annuity, the amount provided in the
27 immediately preceding paragraph for a widow 60 or more years
28 of age on the date of her husband's retirement on annuity,
29 shall, in the case of such then younger widow, be reduced by
30 1/2 of 1 per cent for each month that her then attained age
31 was less than 60 years; except that such younger widow of an
32 employee retiring on or after July 1, 1985 with at least 30
33 years of service, shall not be subject to the reduction in
34 widow's annuity because of her age less than 60 on the date

1 of the employee's retirement.

2 (c) The foregoing provisions relating to minimum
3 annuities for widows shall not apply to the widow of any
4 former county employee receiving an annuity from the Fund on
5 June 11, 1965, who re-enters service as a county employee,
6 unless such employee renders at least 3 years of additional
7 service after the date of re-entry.

8 (d) An annuity being paid to a surviving spouse on
9 January 1, 1984 shall be increased by 10% and shall
10 thereafter be paid at the increased rate until the
11 termination of the annuity by death or other cause. The
12 annuity for a qualifying widow shall not exceed \$500 per
13 month.

14 (e) The widow of any employee who dies while in service
15 on or after July 1, 1985 but prior to January 1, 1988, and
16 the widow of an employee who retires on or after July 1, 1985
17 but prior to January 1, 1988 with at least 10 years of
18 service, and the widow of an employee who retires on or after
19 January 1, 1984 but prior to July 1, 1985 with at least 30
20 years of service, shall be entitled to an annuity equal to
21 one-half of the amount of annuity which her deceased husband
22 would have received had he retired immediately prior to his
23 death or one-half the amount of the originally granted
24 retirement annuity, whichever is applicable. Such widow's
25 annuity will be reduced 0.5% for each month that the widow's
26 attained age is less than age 60 on the date of the
27 employee's death in service or retirement if the employee's
28 death in service or retirement is before January 1, 1988;
29 except that such younger widow of an employee with at least
30 30 years of service shall not be subject to the reduction in
31 widow's annuity because of her age less than 60 on the date
32 of the employee's death in service or retirement.

33 The widow of an employee who dies in service on or after
34 January 1, 1988, or retires on or after January 1, 1988 with

1 at least 10 years of service, shall be entitled to an annuity
2 equal to 1/2 of the amount of annuity which her deceased
3 husband would have received had he retired immediately prior
4 to his death or 1/2 of the amount of the annuity which her
5 deceased husband received as of the date of his death,
6 whichever is applicable. Such widow's annuity shall be
7 reduced 0.5% for each month that the widow's attained age is
8 less than age 60 on the date of the employee's death if
9 employee's death in service or retirement is after January 1,
10 1988; except that such younger widow of an employee with at
11 least 30 years of service shall not be subject to the
12 reduction in widow's annuity because of her age on the date
13 of the employee's death.

14 In lieu of any other annuity provided by this Article,
15 the widow of an employee who dies in service on or after
16 January 1, 1992, or retires on or after January 1, 1992 with
17 at least 10 years of service, shall be entitled to an annuity
18 equal to 1/2 of the amount of annuity which her deceased
19 husband would have received had he retired immediately prior
20 to his death or 1/2 of the amount of the annuity which her
21 deceased husband received as of the date of his death,
22 whichever is applicable. Such widow's annuity shall be
23 reduced 0.5% for each month that the widow's attained age is
24 less than age 55 on the date of the employee's death; except
25 that such younger widow of an employee with at least 30 years
26 of service shall not be subject to the reduction in widow's
27 annuity because of her age on the date of the employee's
28 death.

29 In lieu of any other annuity provided by this Article,
30 the widow of an employee who dies in service or withdraws
31 from service on or after January 1, 1992 but before January
32 1, 1993 at age 55 or over with at least 5 but less than 10
33 years of service, shall be entitled to an annuity equal to
34 half of the amount of annuity which her deceased husband

1 would have received had he retired immediately prior to his
2 death or half of the amount of the annuity which her deceased
3 husband received as of the date of his death, whichever is
4 applicable. This widow's annuity shall be reduced 0.5% for
5 each month that the widow's attained age is less than 60 on
6 the date of the employee's death.

7 However, in the case of an employee dying in service, the
8 amount of widow's annuity shall not be less than 10% of the
9 highest average annual salary for any 4 consecutive years
10 within the last 10 years of service immediately preceding the
11 date of withdrawal. The maximum amount of annuity under this
12 paragraph shall not be limited to a dollar maximum. The
13 provisions of this paragraph shall not apply to the widow of
14 any former County employee receiving an annuity from the fund
15 who re-enters service as a County employee, unless such
16 employee renders at least 3 years of additional service after
17 the date of re-entry.

18 (f) An annuity being paid to a surviving spouse on July
19 1, 1988, shall be increased on that date by 1% for each full
20 year that has elapsed from the date the annuity began.

21 (g) In lieu of any other annuity provided under this
22 Article, if the deceased employee was receiving a retirement
23 annuity at the time of his death and that death occurs on or
24 after January 1, 1993, the widow's annuity shall be 50% of
25 the deceased employee's retirement annuity at the time of
26 death, reduced by 0.5% for each month that the widow's age on
27 the date of death is less than 55, except that the reduction
28 does not apply if the deceased employee had at least 30 years
29 of service.

30 (h) In lieu of any other annuity provided under this
31 Article, the widow of an employee who dies in service on or
32 after January 1, 2002 or has at least 10 years of service and
33 dies on or after January 1, 2002 while receiving an annuity
34 shall be entitled to a widow's annuity equal to 65% of the

1 amount of annuity which her deceased husband would have
2 received had he retired immediately prior to his death or 65%
3 of the amount of the annuity which her deceased husband
4 received as of the date of his death, whichever is
5 applicable. This widow's annuity shall be reduced by 0.5%
6 for each month that the widow's age on the date of the
7 employee's death is less than 55, unless the deceased husband
8 had at least 30 years of service.

9 (Source: P.A. 86-273; 87-794; 87-1265.)

10 Section 90. The State Mandates Act is amended by adding
11 Section 8.25 as follows:

12 (30 ILCS 805/8.25 new)

13 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
14 and 8 of this Act, no reimbursement by the State is required
15 for the implementation of any mandate created by this
16 amendatory Act of the 92nd General Assembly.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.